

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	CASE NO. 1:20-cr-077 (1)
vs.	:	JUDGE BLACK
LARRY HOUSEHOLDER,	:	
Defendant.	:	

DEFENDANT LARRY HOUSEHOLDER'S UNOPPOSED MOTION TO CONTINUE

Defendant Larry Householder, through undersigned counsel, respectfully moves this Court to continue the arraignment scheduled for August 6, 2020 at 1:30 p.m. Counsel for the United States of America is not opposed to this request. The reasons in support of this Motion are set forth in the following Memorandum.

Respectfully submitted,
Taft Stettinius & Hollister LLP

/s/ David H. Thomas
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Counsel for Defendant

MEMORANDUM

A federal Grand Jury indicted Defendant Larry Householder and five co-defendants on July 30, 2020. (Doc. 22). An arraignment is currently scheduled for all Defendants for August 6, 2020 at 1:30 p.m. (Doc. 23).

Defendant Larry Householder was initially charged by way of Complaint on July 21, 2020. (Doc. 5). Undersigned counsel thereafter entered notices of appearance on his behalf on July 24, 2020. (Docs. 10, 11). After entering their appearances, undersigned counsel became aware of a conflict of interest. Subsequently, undersigned counsel filed a Motion to Withdraw on August 3, 2020. (Doc. 30). This Motion is still pending before this Court. Defendant Larry Householder is currently in the process of engaging new counsel. To ensure Defendant Larry Householder has sufficient time to engage new counsel, undersigned counsel are requesting that the arraignment be rescheduled. Undersigned counsel are requesting a continuance of approximately two weeks, which will provide Defendant Larry Householder with time sufficient to engage new counsel.

Defendant recognizes the requirements of the Speedy Trial Act of 1974, as set forth in 18 USC § 3161, *et seq.* Defendant submits that this Motion to Continue is not made for the purpose of delaying a speedy resolution of this case, but rather it is required by the need for Defendant to engage new counsel due to the conflict of interest identified by undersigned counsel.

Defendant further submits the factor set forth in 18 USC § 3161 (h)(7)(B)(iv) is present in this case. A failure to grant this continuance, “would deny the defendant reasonable time to obtain counsel” or “would unreasonably deny the defendant . . . continuity of counsel.” 18 USC § 3161 (h)(7)(B)(iv). Due to the short period of time between the filing of the initial Complaint, the filing of the Indictment, and undersigned counsel’s identification of a conflict of interest leading to the filing of a Motion to Withdraw, undersigned counsel believe and assert that failure

to grant the requested continuance would deny Defendant reasonable time to obtain conflict-free counsel and continuity of counsel.

Accordingly, Defendant's Motion to Continue is justified under 18 USC § 3161(h)(7)(B)(iv). The Government is unopposed to this request. Undersigned counsel respectfully request this Court continue the arraignment currently set in this case for approximately two weeks.

Respectfully submitted,
Taft Stettinius & Hollister LLP

/s/ **David H. Thomas**
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Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was filed with the Clerk of Court for the United States District Court for the Southern District of Ohio using the CM/ECF system, which will send notification of such filing to Assistant U.S. Attorneys Emily Glatfelter and Matthew Singer, 221 E. Fourth Street, Suite 400, Cincinnati, Ohio 45202, on August 6, 2020, by electronic mail.

/s/ **David H. Thomas**
DAVID H. THOMAS